

IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS
ABILENE DIVISION

IN RE:

TERRY BOB SULLIVAN
LAURI LEA SULLIVAN

CASE NO: 10-10302-RLJ-13
HEARING DATE: 6/1/2011
HEARING TIME: 11:00 AM

**TRUSTEE'S RECOMMENDATION CONCERNING CLAIMS, OBJECTION TO CLAIMS AND
PLAN MODIFICATION (if required)**

NOW COMES Walter O'Cheskey, Chapter 13 Trustee, and files this Proposed Trustee's Recommendation Concerning Claims and Plan Modification (if required) in accordance with Bankruptcy Rule 3007 and General Order 2010-01 and would respectively show unto to the Court as follows:

I.

OBJECTION -- NO PROOF OF CLAIM FILED

The following creditors were scheduled by the Debtor(s). No Proof of Claim has been filed by them or on their behalf, as required by Bankruptcy Rule 3002(a). The bar date for filing claims pursuant to Bankruptcy Rule 3002(c) has passed. Therefore the claims should be DISALLOWED.

Trustee Clm#	Creditor Name	Scheduled Amount	Trustee Clm#	Creditor Name	Scheduled Amount
014 0 U	AT&T UNIVERSAL CARD	\$600.00	015 0 U	AURORA LOAN SERVICES	\$1.00
017 0 U	CREDIT SYSTEMS INTL IN	\$27.00	019 0 U	FINANCIAL CONTROL SERVICES	\$214.00
020 0 U	GEMB	\$1,185.00	022 0 U	MEDICAL DATA SYSTEMS I	\$396.00
023 0 U	MIDWEST FINANCE	\$904.00	024 0 U	OKMC	\$1.00
025 0 U	SEARS-CBSD	\$764.00	026 0 U	WESTERN FINANCE	\$800.00
027 0 U	WESTERN SHAMROCK CORP	\$1,366.00			

II.

SPECIFIC OBJECTIONS

No Objections

III.

TRUSTEE'S RECOMMENDATIONS CONCERNING ALLOWED CLAIMS

The Trustee hereby recommends the ALLOWANCE of the following claims for the amount and in the class as listed below.

Trustee Claim #	Creditor	Collateral / Description	Claim Amount	Value	%	Term	Paid / Treated
<u>SECURED CREDITORS</u>							
008 0	MIDLAND MORTGAGE CO	HOME ARREARS THRU 1/2011	\$22,807.09	\$135,000.00	10.00%	60	\$532.99 PAID BY TRUSTEE
009 0	GEMB	POOL -- NO CLAIM FILED.		\$5,000.00	10.00%	60	\$95.80 PAID BY TRUSTEE
No payments will be made unless a proof of claim is filed.							
010 0	TEXAS BANK BROWNWOOD	2003 CADILLAC ESCALADE/ VW BUG	\$15,745.38	\$16,850.00	10.00%	60	\$370.46 PAID BY TRUSTEE
011 0	BROWN CAD	2010 PROPERTY TAXES - 200 E HALL CT	\$2,419.34	\$134,427.00			PD DIRECT BY DEBTOR
013 0	MIDLAND MORTGAGE CO	DIRECT PMTS BEGIN 10-2010	\$124,420.48	\$135,000.00			PD DIRECT BY DEBTOR
041 0 *	MIDLAND MORTGAGE CO	POST PETITION ARREARS FOR 11/10 THRU 3/11	\$5,201.58	\$135,000.00		60	\$101.99 PAID BY TRUSTEE

Not provided for in confirmed plan. See modification below.

Trustee Clm#	Creditor Name	Claim Amount	Trustee Clm#	Creditor Name	Claim Amount
003 0 U *	INTERNAL REVENUE SERVICE 2004 & 2006 INCOME TAXES <i>Debt provided priority, claim filed unsecured.</i>	\$6,285.90	016 0 U	BECKET & LEE LLP PURCHASES/BANK OF AMERICA	\$1,086.95
018 0 U	DISCOVER FINANCIAL SERVICES PURCHASES	\$2,014.93	021 0 U	NATIONAL CAPITAL MANAGEMENT PURCHASES	\$1,185.42
035 0 U *	INTERNAL REVENUE SERVICE PENALTY <i>Not provided for in confirmed plan.</i>	\$2,166.57	039 0 U *	ECAST SETTLEMENT CORPORATION PURCHASES/CITIBANK <i>Not provided for in confirmed plan.</i>	\$1,192.95

If the Trustee's recommendation concerning any claim differs from the amount indicated in a creditor's Proof of Claim, the recommendation is deemed an objection to such claim. Unless a timely reponse or objection is filed contesting the Trustee's recommendation, the objection will be sustained and such claim will be allowed only in the amount and in the class indicated.

Any proposed changes by the Debtor that extends the term or lowers the interest rate as to any secured claim contained in the confirmed Plan must be set out in a Debtor's Objection or Response to the Trustee's Recommendation Concerning Claims and noticed to the affected creditor in the absence of a letter agreement between the Debtor and the affected creditor.

IV.

TRUSTEE'S PLAN MODIFICATION

Pursuant to 11 U.S.C. Section 1329, and in accordance with General Order 2010-01 Section 8, the Trustee requests the following Modification of Debtor's(s') Confirmed Plan, subject to feasibility herein:

Trustee's Modification is as follows:

Midland Mortgage shall be allowed a secured record for post petition arrears for \$5,201.58. Said claim shall be valued at \$135,000 and paid through the plan at 0% interest over 60 months with a payment of \$101.99 per month.

Debtor shall pay \$1,080 per month beginning October 2010 for 2 months; then Debtor shall pay \$1,115 per month beginning December 2010 for 7 months; then Debtor shall pay \$1,224 per month beginning July 2011 for the remaining 51 months for a total plan base amount of \$72,389.00.

/s/ Walter O'Cheskey

Walter O'Cheskey
Chapter 13 Trustee

IF AN OBJECTION IS FILED, A HEARING WILL BE HELD 6/1/2011 AT 11:00 AM CONCERNING THE TRUSTEE'S RECOMMENDATION CONCERNING CLAIMS, OBJECTION TO CLAIMS AND PLAN MODIFICATION (IF REQUIRED) (TRCC) AT THE FOLLOWING LOCATION:

VIDEO: US COURTHOUSE ROOM 2201, 3RD & PINE, ABILENE, TEXAS 79604

A PRE-HEARING CONFERENCE WITH THE TRUSTEE SHALL BE HELD AT THE SAME LOCATION AT 8:30am. ALL PARTIES ARE REQUIRED TO ATTEND THE PREHEARING CONFERENCE. ANY OBJECTIONS TO THE PLEADINGS NOT RESOLVED OR DEFAULTED AT THE PRE-HEARING CONFERENCE WILL BE HEARD BY THE COURT AT THE HEARING DATE AND TIME ABOVE. TO BE CONSIDERED, ANY OBJECTION OR RESPONSE MUST BE MADE IN WRITING, SERVED ON ALL EFFECTED CREDITORS AND FILED WITH THE COURT WITHIN THIRTY (30) DAYS FROM THE DATE OF SERVICE.

PURSUANT TO GENERAL ORDER 2010-01 SECTION 8(C), UNLESS AN OBJECTION IS TIMELY FILED AS TO THE TREATMENT OF ANY CLAIM OR MODIFICATION, THE CLAIM OR MODIFICATION WILL BE ALLOWED OR APPROVED AS DESCRIBED IN THE TRCC AND SUCH TREATMENT WILL BE FINAL AND BINDING ON ALL PARTIES.

/s/ Walter O'Cheskey

Walter O'Cheskey
Chapter 13 Trustee

I hereby certify that a copy of the foregoing Trustee's Recommendation Concerning Claims, Objection to Claims and Plan Modification (if required) and Notice of Hearing and Pre-Hearing Conference on Trustee's Recommendation Concerning Claims, Objection to Claims and Plan Modification (if required) was this date served on the following parties electronically or at the addresses listed below by U.S. First Class mail:

Date: 4/5/2011

/s/ Walter O'Cheskey

Walter O'Cheskey
Chapter 13 Trustee

AT&T UNIVERSAL CARD PO BOX 6403 THE LAKES NV 88901
AURORA LOAN SERVICES ATTN: BANKRUPTCY DEPT PO BOX 1706 SCOTTSBLUFF NE 69363
BANK OF AMERICA ATTN: BANKRUPTCY NC4-105-02-77 PO BOX 26012 GREENSBORO NC 27420
BARRETT DAFFIN FRAPPIER TURNER & ENGEL LLP 1900 ST JAMES PLACE SUITE 500 HOUSTON TX 77056
BECKET & LEE LLP ATTORNEYS AT LAW 16 GENERAL WARREN, PO BOX 3001 MALVERN PA 19355
BROWN CAD 2323 BRYAN STREET SUITE 1600 DALLAS TX 75201
BROWN COUNTY APPRAISAL DISTRICT 402 FISK BROWNWOOD TX 76801
CEDAR PARK REGIONAL MEDICAL 1401 MEDICAL PARKWAY CEDAR PARK TX 78613
CREDIT SYSTEMS INTL IN PO BOX 13564 PHILADELPHIA PA 19101
DISCOVER FINANCIAL SERVICES PO BOX 3025 NEW ALBANY OH 43054
ECAST SETTLEMENT CORPORATION PO BOX 29262 NEW YORK NY 10087
EMERGENCY PHYSICIANS OF CENTAL TX 1201 WEST FRANK AVE LUFFKIN TX 75915
FINANCIAL CONTROL SERVICES 6801 SANGER AVE STE 195 WACO TX 76710
GEMB ATTN BANKRUPTCY PO BOX 103106 ROSWELL GA 30076
GEMB PO BOX 981439 EL PASO TX 79998
HILCO RECOVERY ATTN: BANKRUPTCY 1120 LAKE COOK ROAD SUITE B BUFFALO GROVE IL 60089
INTERNAL REVENUE SERVICE PO BOX 7317 PHILADELPHIA PA 19101
INTERNAL REVENUE SERVICE PO BOX 7346 PHILADELPHIA PA 19101
LENSCRAFTERS CO GE CAPITAL CONSUMER CARD CO 5300 KINGS ISLAND DRIVE MASON OH 45040
LINEBARGER GOGGAN BLAIR & SAMPSON 2323 BRYAN STREET SUITE 1600 DALLAS TX 75201
MEDICAL DATA SYSTEMS I ATTN BANKRUPTCY 2001 9TH AVE STE 312 VERO BEACH FL 32960
MIDLAND MORTGAGE CO 999 NW GRAND BLVD STE 110 OKLAHOMA CITY OK 73118
MIDLAND MORTGAGE COMPANY ATTN: BANKRUPTCY PO BOX 26648 OKLAHOMA CITY OK 73126
MIDWEST FINANCE 307 E BROADWAY ST SWEETWATER TX 79556
MONTE J WHITE & ASSOCIATES PC ATTORNEY AT LAW ABILENE 402 CYPRESS SUITE 310 ABILENE TX 79601
NATIONAL CAPITAL MANAGEMENT 8245 TOURNAMENT DRIVE STE 230 MEMPHIS TN 38125
OKMC 4420 44TH ST SE GRAND RAPIDS MI 49512
R BYRN BASS JR 4716 4TH STREET SUITE 100 LUBBOCK TX 79416
SEARS-CBSD PO BOX 6563 THE LAKES NV 88901
TERRY BOB SULLIVAN & LAURI LEA SULLIVAN 200 EAST HALL CT EARLY TX 76802
TEXAS BANK 400 FISK ST BROWNWOOD TX 76801
TEXAS BANK BROWNWOOD ATTN LIZ CHARANZA PO BOX 1429 BROWNWOOD TX 76801
TEXASBANK BROWNWOOD ATTN LIZ CHARANZA PO BOX 1429 BROWNWOOD TX 76804
UNITED STATES ATTORNEY 801 CHERRY STREET UNIT 4 FT WORTH TX 76102
US ATTORNEY ATTORNEY IN CHARGE 1100 COMMERCE STREET SUITE 300 DALLAS TX 75242
US ATTORNEY GENERAL 10TH ST & CONSTITUTION AVE WASHINGTON DC 20530
WESTERN FINANCE 4222 NORTH 1ST STREET ABILENE TX 79603
WESTERN SHAMROCK CORP 801 S ABE STREET SAN ANGELO TX 76903
WILLIAM T NEARY UNITED STATES TRUSTEE 1100 COMMERCE STREET RM 976 DALLAS TX 75242